

GORDON H. DePAOLI  
Nevada State Bar No. 00195  
DALE E. FERGUSON  
Nevada State Bar No.4986  
WOODBURN AND WEDGE  
6100 Neil Road, Suite 500  
Reno, Nevada 89511  
Telephone: 775 / 688-3000

Attorneys for WALKER RIVER IRRIGATION  
DISTRICT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

Defendants.

UNITED STATES OF AMERICA,  
WALKER RIVER PAIUTE TRIBE,

Counterclaimants,

v.

WALKER RIVER IRRIGATION DISTRICT,  
et al.

Counterdefendants.

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

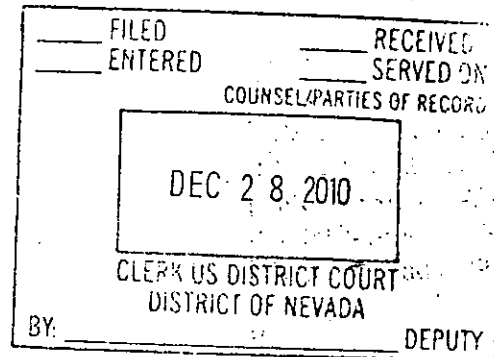
3:73-cv-00127-ECR-LRL

SUBFILE NO. C-125-C

3:73-cv-00128-ECR-LRL

**UNOPPOSED MOTION FOR  
EXTENSION OF TIME TO FILE  
MEMORANDA RELATED TO  
OBJECTIONS TO PROPOSED  
SERVICE CUTOFF AND  
SUCCESSOR-IN-INTEREST  
ORDERS AND TO ADJUST  
REMAINING SCHEDULE  
ACCORDINGLY (2<sup>nd</sup> Request)**

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and LR 6-1 and LR 6-2,  
counsel for the Walker River Irrigation District (the "District") moves the Court for an order



1 extending the time for parties to file memoranda related to objections, if any, to the proposed  
2 service cutoff order (Doc. 1613 in C-125-B) and successor-in-interest orders (Doc. 1614 in C-  
3 125-B; Doc. 516 in C-125-C) from December 31, 2010 to January 7, 2011, and further requests  
4 that the Court extend the time for the Plaintiff Parties to file any replies, including any revisions  
5 to the proposed order, to on or before February 3, 2011.

6  
7 In support of this Motion, counsel for the District represents the following to the Court:

8 1. By Stipulation and Order dated December 15, 2010, the Court established a  
9 schedule for filing memoranda related to objections, if any, to the proposed service cutoff and  
10 successor-in-interest orders. (Doc. 1616 in C-125-B; Doc. 518 in C-125-C).

11 2. Pursuant to Order dated December 15, 2010, the Court extended the deadline to  
12 file memoranda related to objections, if any, to the proposed service cutoff and successor-in-  
13 interest orders to on or before December 31, 2010, directed that the Plaintiff Parties and  
14 Primary Defendants in both cases confer before the Plaintiff Parties reply to those objections to  
15 determine, among other things, if the parties can agree on proposed language, or if there are  
16 additional procedures and forms that may assist with these issues; and further ordered that the  
17 Plaintiff Parties shall file any replies, including any revisions to proposed orders on or before  
18 January 27, 2011. (Doc. 1617 in C-125-B; Doc. 519 in C-125-C).

19 3. By reason of a family emergency which arose commencing on December 20,  
20 2010, and which is ongoing, counsel for the District requires a one week extension of time to  
21 file its memorandum related to objections to the proposed service cutoff and successor-in-  
22 interest orders.

23 4. Counsel for the District has contacted counsel for the Walker River Paiute Tribe  
24 and Mineral County concerning this request, and they have no objections to it.

25 5. Counsel believes that the United States would not oppose this Motion. Susan  
26 Schneider, principal counsel for the United States, is out of her office until January 4, 2011.

1 Counsel for the District has sent an email to Susan Schneider and left a voice mail message,  
2 and in addition, has left a message for a person whom Susan Schneider said should be  
3 contacted in her absence. However, counsel for the District has not heard from either Susan  
4 Schneider or the other person for whom a message was left. Counsel sent a similar email  
5 message to Greg Addington at the United States Attorney's Office in Reno, Nevada. He, too, is  
6 out of his office until January 4, 2011, as is the other person he suggested be contacted in his  
7 absence. Counsel for Mineral County spoke with Christopher Watson, who, although not  
8 counsel of record, is with the Solicitor's Office of the Department of Interior and has been  
9 working with Susan Schneider on this matter. Mr. Watson has no objection to the extension,  
10 and he believes (as does counsel for the District) that Susan Schneider would agree to the  
11 extension under the circumstances.  
12

13  
14 NOW, THEREFORE, based upon the foregoing, counsel for the District respectfully  
15 requests that the Court grant the Motion, and extend the time for parties to file memoranda  
16 related to objections, if any, to the proposed service cutoff and successor-in-interest orders to  
17 January 7, 2011, and extend the time for the Plaintiff Parties to file any replies, including any  
18 revisions to the proposed orders, to on or before February 3, 2011.

19 Dated: December 28, 2010.

WOODBURN AND WEDGE

20 By: /s/ Gordon H. DePaoli

21 Gordon H. DePaoli

22 Nevada Bar No. 195

23 6100 Neil Road, Suite 500

Reno, Nevada 89511

*Attorneys for Walker River Irrigation District*

24 **ORDER**

25 IT IS SO ORDERED.

26 

27 ~~Lawrence R. Leavitt~~

28 United States Magistrate Judge  
DISTRICT

Dated: December 28, 2010.

# CERTIFICATE OF SERVICE

I certify that I am an employee of Woodburn and Wedge and that on the 28<sup>th</sup> day of December, 2010, I electronically served the foregoing *Unopposed Motion for Extension of Time to File Memoranda Related to Objections to Proposed Service Cutoff and Successor-Interest Orders and to Adjust Remaining Schedule Accordingly (2<sup>nd</sup> Request)* in Case No. 3:73-cv-00127-ECR-LRL on the following via their email addresses:

Brian Chally	brian.chally@lvvwd.com
Bryan L. Stockton	bstockton@ag.nv.gov
Charles S. Zumpft	zumpft@brooke-shaw.com
Cherie K. Emm-Smith	districtattorney@mineralcountynv.org
Don Springmeyer	dspringmeyer@wrslawyers.com
Chrristopher Mixson	cmixson@wrslawyers.com
G. David Robertson	gdavid@nvlawyers.com
George Benesch	gbenesch@sbcglobal.net
Greg Addington	greg.addington@usdoj.gov
Harry W. Swainston	hwsainston@earthlink.net
J.D. Sullivan	jd@mindenlaw.com
James Spoo	spootoo@aol.com
John Paul Schlegelmilch	jpslaw@netscape.com
Julian C. Smith, Jr.	joylyn@smithandharmer.com
Karen Peterson	kpeterson@allisonmackenzie.com
Kirk C. Johnson	kirk@nvlawyers.com
Laura Schroeder	counsel@water-law.com
Louis S. Test	twallace@htag.reno.nv.us
Marta Adams	maadams@ag.state.nv.us
Marvin W. Murphy	marvinmurphy@sbcglobal.net
Michael D. Hoy	Michael D Hoy mhoy@nevadalaw.com
Michael F. Mackedon	falonlaw@phonewave.net
Michael R. Montero	mrm@eloreno.com
Michael A. Pagni	mpagni@mcdonaldcarano.com
Richard W. Harris	rharris@gbis.com
Ross E. de Lipkau	ecf@parsonsbehle.com
Sylvia Harrison	sharrison@mcdonaldcarano.com
T. Scott Brooke	brooke@brooke-shaw.com
Michael W. Neville	michael.neville@doj.ca.gov
Stacey Simon	ssimon@mono.ca.gov
Susan Schneider	susan.schneider@usdoj.gov
Paul J. Anderson	panderson@mclrenolaw.com
Debbie Leonard	dleonard@mcdonaldcarano.com
Wes Williams	wwilliams@standfordaluni.org
William J. Duffy	william.duffy@dgslaw.com
Gene M. Kaufmann	GKaufmann@mindenlaw.com
Erin K.L. Mahaney	emahaney@waterboards.ca.gov

1 David L. Negri david.negri@usdoj.gov  
2 Simeon Herskovits herskovitx@westernlaw.org  
3 John W. Howard johnh@jwhowardattorneys.com  
4 Malissa Hathaway McKeith mckeith@lbbslaw.com  
5 Andrew D. Galvin drew.galvin@americantower.com  
6 Lynn L. Steyaert lls@water-law.com  
7 Noëlle R. Gentilli ngentill@water.ca.gov  
8 Donald B. Mooney dbmooney@dcn.org  
9 Erick Soderlund esoderlu@water.ca.gov  
10 Stuart David Hotchkiss david.hotchkiss@ladwp.com

11 I further certify that I served a copy of the foregoing in Case No. 3:73-cv-00127-ECR-  
12 LRL to the following by U.S. Mail, postage prepaid, this 28<sup>th</sup> day of December, 2010:

13 Robert L. Auer  
14 Lyon County District Attorney  
15 31 S. Main St.  
16 Yerington, NV 89447

Jeff Parker  
Deputy Atty. General  
Office of the Attorney General  
100 N. Carson St.  
Carson City, NV 89701-4717

17 Wesley G. Beverlin  
18 Malissa Hathaway McKeith  
19 Lewis, Brisbois, Bisgaard & Smith LCP  
20 221 N. Figueroa St., Suite 1200  
21 Los Angeles, CA 90012

Todd Plimpton  
Belanger & Plimpton  
1135 Central Ave.  
P.O. Box 59  
Lovelock, NV 89419

22 Leo Drozdoff  
23 Dir. of Conservation & Natural Resources  
24 State of Nevada  
25 901 S. Stewart St.  
26 Carson City, NV 89701

William W. Quinn  
Office of the Field Solicitor  
Department of the Interior  
401 W. Washington St., SPC 44  
Phoenix, AZ 85003

27 Nathan Goedde, Staff Counsel  
28 California Dept. of Fish and Game  
1416 Ninth St., #1335  
Sacramento, CA 95814

Marshall S. Rudolph, Mono County Counsel  
Stacy Simon, Deputy County Counsel  
Mono County  
P. O. Box 2415  
Mammoth Lakes, CA 93546-2415

29 Mary Hackenbracht  
30 Deputy Attorney General  
31 State of California  
32 1515 Clay St., 20<sup>th</sup> Floor  
Oakland, CA 94612-1413

William E. Schaeffer  
P. O. Box 936  
Battle Mountain, NV 89820

33 Robert L. Hunter, Superintendent  
34 Western Nevada Agency  
35 Bureau of Indian Affairs  
36 311 E. Washington St.  
Carson City, NV 89701-4065

James Shaw  
Water Master  
U.S. Board of Water Commissioners  
P.O. Box 853  
Yerington, NV 89447

1 Jason King  
 2 Division of Water Resources  
 3 State of Nevada  
 4 901 S. Stewart St.  
 5 Carson City, NV 89701

Kenneth Spooner  
 General Manager  
 Walker River Irrigation District  
 P.O. Box 820  
 Yerington, NV 89447

6 Timothy A. Lukas  
 7 P.O. Box 3237  
 8 Reno, NV 89505

Garry Stone  
 U.S. District Court Water Master  
 290 S. Arlington Ave., 3rd Floor  
 Reno, NV 89501

9 I certify that I am an employee of Woodburn and Wedge and that on the 28<sup>th</sup> day of  
 10 December, 2010, I electronically served the foregoing *Unopposed Motion for Extension of*  
 11 *Time to File Memoranda Related to Objections to Proposed Service Cutoff and Successor-In-*  
 12 *Interest Orders and to Adjust Remaining Schedule Accordingly (2<sup>nd</sup> Request)* in Case No. 3:73-  
 cv-00128-ECR-LRL on the following via their email addresses:

13 Cheri K. Emm-Smith districtattorney@mineralcountynv.org  
 14 David L. Negri david.negri@usdoj.gov  
 15 Don Springmeyer dspringmeyer@wrslawyers.com  
 16 Chris Mixson cmixson@wrslawyers.com  
 17 Garry Stone jaliep@aol.com, jtboyer@troa.net  
 18 George N. Benesch gbenesch@sbcglobal.net  
 19 Gregory W. Addington greg.addington@usdoj.gov  
 20 James Spoo spootoo@aol.com  
 21 Karen A. Peterson kpeterson@allisonmackenzie.com  
 22 Marta A. Adams MAdams@ag.nv.gov  
 23 Michael Neville michael.neville@doj.ca.gov  
 24 Ross E. de Lipkau ecf@parsonsbehle.com  
 25 Simeon M. Herskovits simeon@communityandenvironment.net  
 26 Stacey Simon ssimon@mono.ca.gov  
 27 Stephen M. Macfarlane Stephen.Macfarlane@usdoj.gov  
 28 Susan L. Schneider susan.schneider@usdoj.gov  
 Wes Williams wwiliams@stanfordalumni.org

29 I further certify that I served a copy of the foregoing in Case No. 3:73-cv-00128-ECR-  
 30 LRL to the following by U.S. Mail, postage prepaid, this 28<sup>th</sup> day of December, 2010:

31 Allen Anspach  
 32 U.S. Bureau of Indian Affairs  
 33 Western Region  
 34 400 North 5<sup>th</sup> St., 12<sup>th</sup> Floor  
 35 Phoenix, AZ 85004

Robert Auer  
 District Attorney for Lyon County  
 31 South Main St.  
 Yerington, NV 89447

1	Wesley G. Beverlin	Kelly R. Chase
2	Malissa Hathaway McKeith	1700 County Road, Ste. A
3	Lewis, Brisbois, Bisgaard & Smith LCP	P.O. Box 2800
4	221 N. Figueroa St., Ste. 1200	Minden, NV 89423
5	Los Angeles, CA 90012	
6	Nathan Goedde	Mary Hackenbracht
7	Staff Counsel	Deputy Attorney General
8	California Dept. of Fish & Game	State of California
9	1416 Ninth St., Ste. 1335	1515 Clay St., 20 <sup>th</sup> Floor
10	Sacramento, CA 95814	Oakland, CA 94612-1413
11	Michael D. Hoy	Robert L. Hunter
12	Hoy & Hoy	Western Nevada Agency
13	1495 Ridgeview Dr., Suite 90	311 E. Washington St.
14	Reno, NV 89519	Carson City, NV 89701
15	Jason King	Timothy A. Lukas
16	Division of Water Resources	P.O. Box 3237
17	State of Nevada	Reno, NV 89505
18	901 S. Stewart St.	
19	Carson City, NV 89701	
20	Los Angeles City Attorney's Office	Michael F. Mackedon
21	P.O. Box 51-111	P.O. Box 1203
22	111 North Hope St., Ste. 340	179 South LaVerne St.
23	Los Angeles, CA 90051	Fallon, NV 89407
24	David Moser	Scott H. Shackelton
25	McCutchen, Doyle, Brown, et al.	Law Offices of Scott Shackelton
26	Three Embarcadero Center, Ste. 1800	4160 Long Knife Rd.
27	San Francisco, CA 94111	Reno, NV 89509
28	James Shaw	William J. Shaw
	Water Master	Brooke & Shaw, Ltd.
	U.S. Board of Water Commissioners	1590 Fourth St.
	P.O. Box 853	P.O. Box 2860
	Yerington, NV 89447	Minden, NV 89423
	Kenneth Spooner	Tracy Taylor
	General Manager	Department of Conservation and Natural
	Walker River Irrigation District	Resources
	P.O. Box 820	Division of Water Resources
	Yerington, NV 89447	901 S. Stewart St., Ste. 202
		Carson City, NV 89701



1 Adah Blinn and John Hargus Trust,  
2 Robert Lewis Cooper, Trustee.  
3 984 Hwy. 208  
Yerington, NV 89447

4 Domenici 1991 Family Trust  
5 Lona Marie Domenici-Reese  
6 P.O. Box 333  
Yerington, NV 89447

7 Wallace J. & Linda P. Lee  
8 904 W. Goldfield Ave.  
Yerington, NV 89447

9  
10 Cynthia Menesini  
11 111 N. Hwy. 95A  
Yerington, NV 89447

12 Nancy J. Nuti  
13 P.O. Box 49  
Smith, NV 89430

14 Charles Price  
15 24 Panavista Cir.  
Yerington, NV 89447

16 Sceirine Fredericks Ranch  
17 c/o Todd Sceirine  
18 3100 Hwy. 338  
Wellington, NV 89444

19 Daniel G. & Shawna S. Smith  
20 P.O. Box 119  
Wellington, NV 89444

21 Susan Steneri  
22 10 Pickering Cir., Reno  
23 Reno, NV 89511

Casino West  
Lawrence B. Masini, RA  
11 N. Main St.  
Yerington, NV 89447

L & M Family Limited Partnership  
Rife Sciarani & Co, RA  
22 Hwy. 208  
Yerington, NV 89447

Joseph J. Bessie J. Lommori Trust  
Joseph & Bessie J. Lommori, Trustees  
710 Pearl St.  
Yerington, NV 89447

Cynthia Nuti  
P.O. Box 49  
Smith, NV 89430

Richard B. Nuti  
P.O. Box 49  
Smith, NV 89430

John Gustave Ritter III  
34 Aiazzi Ln.  
Yerington, NV 89447

Silverado, Inc.  
Gordon R. Muir, RA  
One E. Liberty St., Suite 416  
Reno, NV 89501

Christy De Long & Kirk Andrew Stanton  
27 Borsini Ln.  
Yerington, NV 89447

Jerry E. Tilley, Trust  
Jerry E. Tilley, Trustee  
11418 S. 105<sup>th</sup> E. Ave.  
Bixby, OK 74008

24  
25  
26 /s/ Holly Dewar  
27 Holly Dewar  
28